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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
TRAVIS TOOLE,  
Defendant.

No. CR 05-00282-JW

STIPULATION REQUESTING  
CONTINUANCE OF SENTENCING  
HEARING AND [PROPOSED] ORDER

It is hereby stipulated and agreed between defendant Travis Toole, by and through his counsel of record, Jesse Garcia, Esq., and the United States, by and through Assistant United States Attorney Mark L. Krotoski, as follows:

1. This matter is presently set for a sentencing hearing on October 2, 2006 at 1:30 p.m., after the Court continued the hearing from September 25, 2006 to October 2, 2006.

2. The probation officer has noted that the defendant has yet to schedule his presentence interview and the presentence report cannot be completed pending this interview. The defense agrees to schedule the presentence interview.

3. For the foregoing reasons, and that the ends of justice are served by continuing this case, the parties stipulate to a continuance of the sentencing hearing from October 2, 2006 at 1:30 p.m.

STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND [PROPOSED] ORDER  
CR 05-00282-JW

1 to November 13, 2006 at 1:30 p.m., or the next available date.

2 IT IS SO STIPULATED.

3 Dated: September 13, 2006

KEVIN V. RYAN  
United States Attorney

4  
5 /s/

6 MARK L. KROTOSKI  
Assistant United States Attorney

7 Dated: September 13, 2006

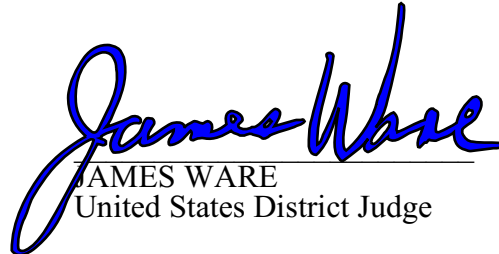
8 /s/

9 JESSE GARCIA  
Attorney for defendant Toole

10 IT IS SO ORDERED.

11 The sentencing hearing is continued from October 2, 2006 at 1:30 p.m. to November 13,  
12 2006 at 1:30 p.m.

13 Dated: September 14, 2006

14  
15   
16 JAMES WARE  
United States District Judge

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